

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Christopher T. Boyle CONFIRMATION NO.: 6734  
Serial No.: 09/716,146 ART UNIT: 3738  
Filed: 11/17/00 EXAMINER: Cheryl Miller  
For: DEVICE FOR IN VIVO DELIVERY OF BIOACTIVE AGENTS AND METHOD OF  
MANUFACTURING THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC FILING

*I hereby certify that this Supplemental Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being filed electronically on this the 11<sup>th</sup> day of September, 2006 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.*



Lori Dunham

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

1. Preliminary statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56 it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(b) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

## 2. Identification Of Time Of Filing

### This Information Disclosure Statement

*(check and complete (a), (b), (c), (d), or (e))*

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR 1.97 (a)
- (b) ☐ is filed within three months after the filing date of the application or prior to the mailing date of the first Office action, whichever is later. 37 CFR 1.97(b)
- (c) ☐ is being filed after the time period specified in §1.97(b), but before mailing of a final action under §1.113, a Notice of Allowance under §1.311, or and action that otherwise closes in the application (37 C.F.R. §1.97(c)) and is accompanied by:
- ☐ Statement under 37 CFR §1.97(e); or
- ☐ Fee under 37 CFR §1.17(p);
- (d) ☐ is being filed after the time period specified in §1.97(c), but before payment of the issue fee (37 C.F.R. §1.97(d)) and is accompanied by:
- ☐ Statement under 37 CFR §1.97(e); or
- ☐ Fee under 37 CFR §1.17(p);
- (e) ☒ is a supplemental Information Disclosure Statement under 37 CFR 1.99
- ☒ a previous Information Disclosure Statement was filed on December 6, 2002
- ☐ this supplemental Information Disclosure Statement is being submitted as the information was brought to attention
- (f) ☒ The art was encountered in the course of the prosecution of the corresponding foreign application(s) in

PCT International Application Serial No. PCT/US05/32268  
(name(s) of country(ies) and serial number(s))

**FORM PTO - 1449 (Modified)**

List of Patents and Publications

For Applicant's Information

Disclosure Statement

(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-018

APPLICANT: C. Boyle

FILING DATE: 11/17/00

SERIAL NO: 09/716,146

GROUP: 3738

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA	04/0143322	7/22/04	Litvack, et al.	623	1.42
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					

**FOREIGN PATENT DOCUMENTS**

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL						
AM						
AN						
AO						
AP						

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR

AS

AT

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

3. **Identification Of Person(s) Making This INFORMATION DISCLOSURE STATEMENT**

The person making this statement is

*(check each applicable item (a) and (b))*

(a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
**SIGNATURE OF INVENTOR**

\_\_\_\_\_  
Type name of inventor who is signing

(b) ☒ the attorney who signs below on the basis of:

*(check each applicable item)*

☐ the information supplied by the inventor(s)

☐ which has been reviewed by the attorney

☐ which has **not** been reviewed by the attorney

☒ the information in the attorney's file

Reg.No.: 57,364

  
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**SIGNATURE OF ATTORNEY**

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